

Immunex Corporation

Docket No.: 2874-B

**DECLARATION OF INVENTORS**

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD OF INHIBITING OSTEOCLAST ACTIVITY**

the specification of which is filed herewith.

I hereby state that I have reviewed and understand the contents of said specification, including the claims that are presented in the Preliminary Amendment that is being submitted with the application. I acknowledge the duty to disclose information that is known to me and material to patentability of the subject claimed invention in accordance with 37 C.F.R. §1.56.

(X) I hereby claim the benefit under 35 U.S.C. §120 of the United States application(s) and PCT international application(s) designating the United States that are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) or PCT international application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.  
PCT/US99/10588  
USSN 08/966,139

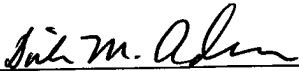
Filed  
May 13, 1999  
December 22, 1997 (now US Patent 6,017,729)

( X ) I hereby claim the benefit under 35 U.S.C. §119(e) of the United States provisional patent application(s) listed below:

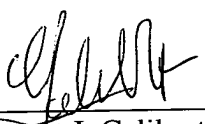
Application No.  
60/085,487  
60/110,836  
60/064,671  
60/077,181  
60/059,978

Filed  
May 14, 1998  
December 3, 1998  
October 14, 1997  
March 7, 1997  
December 23, 1996

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature   
Inventor Dirk M. Anderson  
Post Office 51 University Street  
Address Seattle, Washington 98101  
U.S.A.  
Residence Seattle, Washington 98107 U.S.A.  
Citizenship U.S.

Date Nov. 3, 2000

Signature   
Inventor Laurent J. Galibert  
Post Office 51 University Street  
Address Seattle, Washington 98101  
U.S.A.  
Residence Seattle, Washington 98115 U.S.A.  
Citizenship French

Date Nov. 3<sup>rd</sup>, 2000



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Docket No.: 2874-B

Dirk M. Anderson and Laurent J. Galibert

Serial No. --to be assigned--

Art Unit: Not assigned

Filed: November 3, 2000

Examiner: Not assigned

Title: METHOD OF INHIBITING OSTEOCLAST ACTIVITY  
EXPRESSION**STATEMENT UNDER 37 CFR 3.73(b) AND  
POWER OF ATTORNEY BY ASSIGNEE**

## BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

IMMUNEX CORPORATION, (hereinafter "IMMUNEX"), a corporation of the State of Washington having a place of business at 51 University Street, Seattle, Washington 98101, is the assignee of the entire right, title, and interest in the above-identified U.S. patent application. Documentary evidence of a chain of title from the original owners to Immunex is demonstrated by the enclosed copy of an Assignment, the original of which is being filed for recordation by the United States Patent and Trademark Office. The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of IMMUNEX.

IMMUNEX appoints the following registered practitioners to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Michael K. Kirschner  
Registration No. 34,851Kathryn A. Anderson  
Registration No. 32,172Kathleen A. Fowler  
Registration No. 40, 611Julie K. Smith  
Registration No. 38,619Suzanne A. Sprunger  
Registration No. 41,323Janis C. Henry  
Registration No. 34,347Simone L. Jones  
Registration No. 41, 951Diana K. Sheiness  
Registration No. 35,356Patricia Anne Perkins  
Registration No. 34,693


Immunex Corporation  
Statement Under 37 CFR 3.73(b) and Power of Attorney by Assignee  
Docket No. 2874-B

Send all correspondence and direct telephone calls to:

Diana K. Sheiness  
Immunex Corporation  
Law Department  
51 University Street  
Seattle, WA 98101  
Telephone: (206) 470-4818

Respectfully submitted,  
IMMUNEX CORPORATION

Date: November 3, 2000

By   
Michael K. Kirschner  
Vice President, Intellectual Property

Enclosure:  
Copy of Assignment

**ASSIGNMENT**

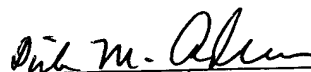
WHEREAS, We, Dirk M. Anderson, residing at Seattle, Washington 98107; and Laurent J. Galibert, residing at Seattle, Washington 98115, are the inventors named in an application for Letters Patent of the United States entitled "METHOD OF INHIBITING OSTEOCLAST ACTIVITY," said application filed herewith; which is a continuation of International Application No. PCT/US99/10588, filed 13 May 1999, which claims the benefit of U.S. provisional patent application 60/085,487 filed May 14, 1998 and U.S. provisional patent application 60/110,836 filed December 3, 1998, and is a continuation-in-part of United States patent application 08/966,139 (now U.S. 6,017,729), filed December 22, 1997, which claims the benefit of priority from U.S. provisional patent applications 60/064,671, filed October 14, 1997; 60/077,181, filed March 7, 1997; and 60/059,978, filed December 23, 1996;

We hereby authorize and request the attorneys of record in this application to insert here in parentheses (Application No. \_\_\_\_\_) the application number of this application when known.

AND, WHEREAS, IMMUNEX CORPORATION, a corporation of the State of Washington, having a principal place of business at 51 University Street, Seattle, Washington 98101 (hereinafter referred to as ASSIGNEE) is desirous of acquiring the entire right and title to and interest in the invention disclosed in said application;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby sell, assign, and transfer unto said ASSIGNEE our entire right and title to and interest in said application and said invention(s) and all U.S. and foreign applications and patents on said invention(s) to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by us had this sale, assignment, and transfer not been made, and we do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention(s), to enforce any and all patents on said invention(s), and to confirm in ASSIGNEE legal title to said invention(s) and all applications and patents on said invention(s), all without charge to ASSIGNEE but at no expense to us.

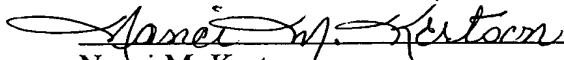
Executed at Seattle, Washington, this 3 day of November, 2000.

  
\_\_\_\_\_  
Dirk M. Anderson

**COPY**

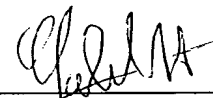
STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 3rd day of November, 2000, personally appeared before me Dirk M. Anderson, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

  
Nanci M. Kertson  
Notary Public in and for the  
State of Washington, residing at Seattle  
My appointment expires 4-19-03

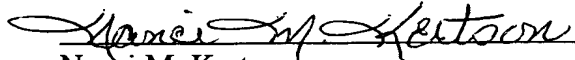


Executed at Seattle, Washington, this 3<sup>rd</sup> day of November, 2000.

  
Laurent J. Galibert

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 3rd day of November, 2000, personally appeared before me Laurent J. Galibert, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

  
Nanci M. Kertson  
Notary Public in and for the  
State of Washington, residing at Seattle.  
My appointment expires 4-19-03.

